

REMARKS

Claims 1-17 and 26-33 are pending in this application. By this Amendment, claims 1, 2, 10, 12, 13, 15, 16, 17, 26 and 29-33 are amended. The amendments to claims 2, 10, 12, 13, 15 and 16 are for form. Support for the amendments to the claims can be found, for example, in paragraph [0081] and Fig. 6 of the original disclosure. No new matter is added.

Applicants respectfully request reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

The courtesies extended to Applicants' representatives by Examiners Najee-Ullah and Nguyen at the interview held June 29, 2009 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

The Office Action rejects claims 1-3, 10-13, 15, 17, 26 and 29-33 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement. As discussed during the June 29, 2009 personal interview, support for the matter recited in the above claims can be found, for example, in paragraphs, [0049]-[0056], [0066]-[0068] and [0077]-[0085]. As discussed during the interview, these portions of the specification support the recitations in the claims, specifically the amendments presented in the December 1, 2008 Amendment. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1, 17 and 29 under 35 U.S.C. §1112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse the rejection.

As discussed during the June 29, 2009 personal interview, although "directly operated by a user" is broad, use of the phrase in the claims does not render the claims indefinite because the meaning of the phrase is easily understood and the phrase is not used in a manner that contradicts the meaning. Thus, Applicants consider the phrase does not render the claims indefinite. However, as discussed below, the claims are amended to remove this phrase, but

Applicants do not concede that the phrase is indefinite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1-17 and 26-33 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2002/0156923 (Tanimoto) in view of JP A 2002-091856 (Shigeru). Applicants respectfully traverse the rejection.

The Office Action concedes that Tanimoto fails to disclose, in part, the claimed operation detecting unit variously recited in claims 1, 17 and 29 (Office Action, page 6). The Office Action alleges that the combination of Tanimoto with Shigeru cures this deficiency (Office Action, page 6). Applicants respectfully assert that Tanimoto does not.

The Office Action alleges that Shigeru discloses the "operation detecting unit" based on the disclosure of Shigeru at the Abstract and paragraphs [0059] and [0060]. The Office Action alleges that Shigeru's IC card is equivalent to a portable operation member and that Shigeru's IC card reader is equivalent to an operation detecting unit that detects an operation by a user of the portable operation member, as variously recited in claims 1, 17 and 29. The Office Action supports this allegation by alleging that Shigeru discloses the use of a touch panel keyboard to obtain further user input when the IC card is inserted into the IC card reader by a user. However, the touch panel keyboard is not part of the IC card disclosed in Shigeru. Thus, Applicants maintain that a user operating a touch panel keyboard that is not part of Shigeru's IC card cannot reasonably constitute operating the IC card.

During the June 29, 2009 personal interview, Examiner Najee-Ullah maintained the allegation that a user operating a touch panel keyboard that indirectly accesses the information on the IC card through the IC card reader constitutes operating a portable operation member. Applicants maintain that this interpretation is unreasonable as operating a touch panel keyboard that is not part of the IC card cannot reasonably constitute operation the IC card. However, without conceding the above assertion, Applicants assert that the alleged

operation of the IC card through the touch panel keyboard does not reasonably constitute a mechanical operation of the IC card. Thus, Shigeru fails to disclose "that the portable operation member is mechanically operated by a user," as recited in claims 1, 17 and 29.

Further, the insertion of Shigeru's IC card into Shigeru's IC card reader cannot reasonably constitute disclosing "that the portable operation member is mechanically operated by a user," as recited in claims 1, 17 and 29, because the claims also require that the operation is in a state that "the portable operation member is already inserted into the opening of the interface unit." Accordingly, Shigeru fails to disclose all of the features of claims 1, 17 and 29. Because Shigeru fails to cure the deficiency of Tanimoto, Tanimoto in view of Shigeru fail to disclose and would not have rendered obvious claims 1, 17 and 29.

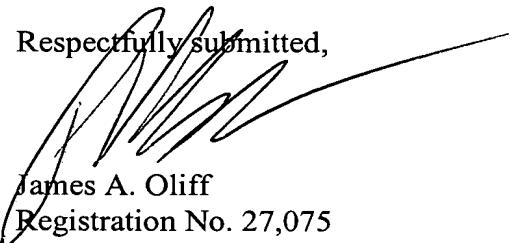
Further, Tanimoto in view of Shigeru fail to disclose and would not have rendered obvious claim 26, based on similar reasons discussed above with respect to claims 1, 17 and 29. For example, claim 26 recites "the operation caused by insertion of a portable operation member into an opening of an interface unit of the communication system and a mechanical operation of the portable operation member after insertion into the opening of the interface." Based on the similarity of this recitation of claim 26, claim 26 is also allowable over Tanimoto in view of Shigeru.

Claims 2-16, 27, 28 and 30-33 are also allowable over Tanimoto in view of Shigeru for at least the same reasons as claims 1, 17, 26 and 29, as well as for the additional features the claims recite. For example, Tanimoto in view of Shigeru are silent regarding a mechanical operation of a portable operation member that includes a depression of the portable operation member, as recited in claims 30-33. Thus, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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Attachment:

Petition for Extension of Time

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